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J1054 U.S.  
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Please type a plus sign (+) inside this box → Approved for use through 10/31/2002. OMB 0651-0032  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	45532/1:7
First Inventor	Ronald A. Palfenier
Title	A Method of Optical Pyrometry .
Express Mail Label No.	EL822442143US

A  
JCP03 U.S. PRO  
10/053483  
11/02/01**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 26]  
(preferred arrangement set forth below)
 

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 11 ]

5. Oath or Declaration [ Total Pages ]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63 (d))  
     (for continuation/divisional with Box 18 completed)
 

- i.  **DELETION OF INVENTOR(S)**  
     Signed statement attached deleting inventor(s)  
     named in the prior application, see 37 CFR  
     1.63(d)(2) and 1.33(b)

6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 

- a.  Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  paper
- c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))

10.  37 CFR 3.73(b) Statement  Power of (when there is an assignee)  Attorney

11.  English Translation Document (if applicable)

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17.  Other Combined Declaration and Power of Attorney (unsigned)

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)

of prior application No 09,872,752

Prior application information: Examiner \_\_\_\_\_

Group Art Unit 2859

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	3532 (Insert Customer No. or Attach Bar code label here)	<input type="checkbox"/> Correspondence address below			
Name	Richard B. Preiss				
Address	Stoel Rives LLP 900 SW Fifth Ave., Suite 2600				
	Portland	State	OR	Zip Code	
City	Portland	State	OR	Zip Code	97204
Country	USA	Telephone	503.224.3380	Fax	502.220.2480
Name (Print/Type)	Richard B. Preiss	Registration No. (Attorney/Agent)	36,640		
Signature	<i>Richard B. Preiss</i>		Date	11/2/01	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Ronald A. Palfenier
Title	A METHOD OF OPTICAL PYROMETRY THAT IS INDEPENDENT OF EMISSIVITY AND . . .
Atty Docket Number	45532/1:7

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Nov. 2, 2001

Date

Signature

Richard B. Preiss, #36,640

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Application No.:

Filed: Concurrently Herewith

Inventors: **Ronald A. Palfenier and Patrick J. Nystrom**

Title: **A METHOD OF OPTICAL PYROMETRY THAT IS INDEPENDENT OF  
EMISSIVITY AND RADIATION TRANSMISSION LOSSES**

Attorney Docket No.: 45532/1:7

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**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing  
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Date of Deposit November 2, 2001

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THE ASSISTANT COMMISSIONER FOR PATENTS,  
WASHINGTON, D.C. 20231

  
Signature

Sandra Lekar

Typed or printed name of person signing  
certificate

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Attachment:

Utility Patent Application Transmittal, 26 pages of specification and claims,  
11 sheets of drawings, Combined Declaration and Power of Attorney  
(unsigned), Nonpublication Request, and return receipt postcard.